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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTENTION:

In re Application of:

Nigel D. ATHERTON

Serial No.: 09/891,206

Filed: June 26, 2001

For: TREATMENT OF BONE DISEASES

BOX: MISSING PARTS

Group Art Unit **1616**

Examiner: Unassigned

RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In response to the Notice to File Missing Parts dated August 22, 2001:

- Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$130.00
- Applicant(s) include the filing fee of \$740.00.
- Applicant(s) include the extra claims fee of \$ 90.00 for 5 claims in excess of 20, \$18.00 per additional claim, \$672.00 for 8 independent claims in excess of 3, \$84.00 per additional claim.
- Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No. 22487).
- Attached is a copy of the Notice to File Missing Parts.
- Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of one month(s) along with the fee of \$110.00.
- Applicant(s) are entitled to small entity status.
- Attached is a verified English translation of the language text filed on along with the fee of \$130.00.
- Applicant(s) provide the title of the invention/inventor(s) name(s) and address(es) on the attached provisional application cover sheet along with the \$50/\$25 surcharge.

- Attached is the Sequence Disclosure as required.
- Attached is the Substitute Specification as required.
- Attached are the substitute drawings as required.
- Attached is an English translation of the application.

Attached is a check in the amount of \$ 1,742.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



Anthony J. Zelano
Registration No. 27,969
Attorney/Agent for Applicants

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Attorney Docket No.: PHARMA-131

Date: November 16, 2001



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/891,206 | 06/26/2001 | Nigel Atherton | PHARMA-131 |

CONFIRMATION NO. 9337

23599
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

FORMALITIES LETTER



OC00000006457453

Date Mailed: 08/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$730.
 - \$90 for 5 total claims over 20.
 - \$640 for 8 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1570.

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| 01 FC:101 | 740.00 OP |
| 02 FC:102 | 672.00 OP |
| 03 FC:103 | 90.00 OP |
| 04 FC:105 | 130.00 OP |

A copy of this notice MUST be returned with the reply.

Twh 5/21

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE